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DRAFT "REGLES", ARTICLE 17 : PROVISIONS RELATING TO THE RESTRICTION AND DESIGNATION OF LOCALITIES FOR NOMINAL SPECIES

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Comments on the insertion of regulations concerning the revision of
type localities into the "Règles"

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(Enclosure to a letter dated 1st June 1955)

Among the other additions to, and modifications of, the *Règles Internationales de la Nomenclature Zoologique*, adopted by the Fourteenth International Congress of Zoology, held in Copenhagen in 1953, were provisions for the restriction and designation of localities for nominal species (*Copenhagen Decisions on Zoological Nomenclature*; Hemming, ed., London, 1953: 26-27, para. 31). This recommendation by the colloquium provides for both the rule of the first reviser and the principle of priority to be applied to establishment of type locality, when the original locality is lacking in sufficient precision or has not been cited at all (i.e., restriction in the first instance and designation in the second). There are several points of importance in relation to the acceptability of this recommendation that do not seem to have been considered. Mayr, Linsley and Usinger (*Methods and Principles of Systematic Zoology*, New York, 1953; 244-245) discuss reasons for changing or rejecting type localities, based upon standard practice by systematists, and give several cogent reasons why the rule of priority cannot always apply. The discussion of a specific case which follows serves to emphasize this fact, and should be brought to the attention of the Commission before final printing of the newly revised *Règles*.

The field of herpetology has recently seen a series of papers reviewing and often rejecting certain type locality revisions, and the results of this work should prove of value to the Commission. In brief, in 1950 Smith and Taylor (*Univ. Kansas Sci. Bull.* 33(2) : 313-380) published a list of the type localities of Mexican amphibians and reptiles. In their preparation of the work, they "made an attempt to correct the lack of preciseness in statement of type locality as much as possible, by restricting as many type localities as the present state of knowledge will permit" (*loc. cit.* : 313-314). The type localities of approximately 400 species or subspecies are restricted or designated in the paper. According to the recommendations made by the Copenhagen Colloquium, all are to be accepted, since they comply with the provisions in Section 3, paragraph 31, of the Copenhagen Decisions, which concerns restrictions made prior to its publication. Smith and Taylor, however, certainly did not anticipate fixation of their revisions by the law of priority, for Smith has pointed out that "any considered revision of type locality should be regarded valid until proved wrong" (1953, *Systematic Zool.* 2(1) : 44). Also, Smith and Etheridge (1953, *Herpetologica*, 8 : 153) reject one of the Smith and Taylor restrictions, and re-restrict the name in question to another locality.

Two papers dealing with the Smith and Taylor restrictions have been published by Dunn and Stuart (1951, *Copeia* (1) : 55-61, and 1951, *Science*, 113 : 677-678) in which they discuss both specific instances and the general problem of legality of restriction of type locality. In the *Copeia* article they reject restrictions placed on species from Central and South America, for a number of different reasons. Ten restrictions are refused because the known itinerary of the person who collected the type is not compatible with, i.e., does not include, the locality used for the restriction. In four cases the known range of the species does not include the designated type locality. (See also Peters, 1955, *Copeia*.) In three cases information with the type specimen or in the type description contradicts the restriction. In three cases the restriction is rejected because it forces the identity of two valid names through their restriction to a single type locality. More than fifty otherwise available names will have been lost through this practice, for the new rule will preclude the use of any of these names by later authors, even though a particular subspecies may agree well enough with the type to permit the use of its name (see also Peters, 1954, *Occ. Pap. Mus. Zool. Univ. Mich.*, No. 554 : 18). In one case it was felt that the name might well be wrongly applied to recent specimens which were used as a basis for restriction. In another case the authors felt that Smith and Taylor had "violated priority and first principles". In three cases the restrictions were considered to be "unnecessary". Dunn and Stuart finally concluded that "the restrictions of Smith and Taylor were without legal status ("incompetent, irrelevant, immaterial") and do not consider them as binding on us or other workers" (*Science, loc. cit.* : 678). Their remarks are particularly pertinent in view of the fact that the restrictions now do have legal status, as a result of the retroactive clause.

Even more disturbing is the fact that none of the objections mentioned above has validity today, in view of the present wording of the rules. According to the rules, all of Smith and Taylor's restrictions must be accepted, and, although the rules do not specifically state what recourse is open to one who wishes to reject a particular restriction, it seems obvious that it would require exercise of the Plenary Powers. The rule, as stated, leaves no room for acceptance or rejection of a restriction, but rather specifies that the first published restriction must be accepted, with the proviso that a later author may further restrict it by a selection of some part of an area specified by the previous reviser.

Entirely apart from the points discussed above, which are evidence of an omission from the tentative *Règles*, and of a situation that needs to be rectified before final publication, is a question concerning the philosophical aspects of regulation of type locality designation or restriction by the International Commission. It seems that in this particular case the Commission is leaving the realm of nomenclature and entering the domain of biological fact. Whether the arguments below concerning this are cogent or not, they should not be allowed to obscure the basic points debated above.

The author feels that the original type locality is not an idea or a concept, it is a definite, concrete reality. Every type specimen came from somewhere, and difficulties in assigning a type locality arise only from the failings of man. As a consequence, additional evidence concerning the identity of the type locality may completely alter the validity of an earlier restriction. To my mind, at least, this additional evidence should weigh more heavily than the date of publication of suggested changes. Designation, restriction and rejection must all be based upon evidence, not on fiat.

There appears to be a distinct equivalence between the problem discussed in this paper and the relationship of the rules to the species. It is acknowledged by all systematists that the *Règles* deal only with legalistic or nomenclatorial problems not with zoological ones. The Commission cannot decide on the zoological validity of a species, it can only decide on the nomenclatorial validity of a name applied to a species (or other category). Changes in the zoological validity of a species are made on the basis of accumulated evidence. The same reasoning can be applied to type localities. These have geographic reality just as the species has zoological reality, and the only equivalent of the species name would be the name of the type locality. The Commission ought not to decide on the geographic validity of the type locality any more than on the zoological validity of the species, nor should it try to regulate the handling of purely geographical evidence in a decision on type locality validity by a systematist.

The International Commission has already recognized that the type locality is an entity, and is the equivalent of a taxonomic character, in *Opinion* 52. Here it states that under certain conditions "the type locality becomes a part of the description and is to be considered as an important element in determining the identity of species". While the Commission can regulate and decide what might constitute an adequate description, it cannot specify what a particular portion of that description is to be. For example, it is within the powers of the Commission to say that a description of a snake species is not adequate unless a labial count is included, but it cannot specify that a particular species must have six labials in order to be valid. Thus, it can require that the type locality must be included in a description to make it adequate, but it cannot specify where that type locality is to be.

Accordingly, I ask the International Commission to consider reducing the proposed rule concerning type localities and their designation or restriction to the rank of a recommendation.

I request further that a statement similar to the following be added to the recommendation, embodying the suggestions made by Dunn (1934, *Copeia* (4): 172): the designation and/or restriction of a type locality is to be determined on one or more of the following bases: original description; data accompanying the type specimens; collector's notes, itineraries, letters, conversation, or other personal communication; and, as a last resort only, localities within the known range of the species or from which specimens supposed to belong to the species in question are known to have been taken. The latter basis is to be employed with caution, since it involves the question of accuracy of identification of later material with the species the type represents.

I request further that the International Commission withdraw the recommendation of usage of the principle of priority in questions of restriction or designation of type localities. If the suggestion made above that the item be considered a recommendation rather than a rule be refused, it becomes more important that this clause be removed, in view of the fact that this would then necessitate usage of the Plenary Powers to reject a prior action, and result in an increase of the work load of the International Commission that is totally uncalled for and unnecessary.

I request further that, if the rule be retained rather than reduced to a recommendation, that it should be provided that the restricted or designated type locality must be consistent with all available information on the species, and that a restriction or designation that is not consistent with such information should not be binding upon subsequent authors.